

571 273 903-1

Attorney Docket: 26274  
Serial No.: 10/506,407

the combination of references.

Each of the  
previous responses

None of the  
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Accordingly,  
reconsider and wit

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as part of the  
Applicant's remarks filed  
July 2, 2004 (the page  
was missing & was faxed to the Examiner)

Bombardelli, et al. in view of Jackson, et al. further in  
view of Andre et al.

The Examiner has rejected claims 43-44 under 35 U.S.C. §103(a)  
as being obvious over Bombardelli, et al., in view of Jackson, et  
al., above, and further in view of Andre et al., all above.

Applicants traverse this rejection. Each and every limitation  
of the presently claimed invention is not taught or suggested in  
the combination of references.

Each of the cited references has already been discussed.

571 273 9034

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the combination of references.

Each of the cited references is discussed above and in previous responses.

None of the cited references teach or suggest the use of phytosphingosine as a slimming agent.

Furthermore, claim 31, which depends from claim 33, relates to a hydrochloride salt of phytosphingosine and does not change the patentability which is already obtained for claim 31.

Accordingly, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Bombardelli, et al. in view of Jackson, et al. further in view of Andre et al.

The Examiner has rejected claims 43-44 under 35 U.S.C. §103(a) as being obvious over Bombardelli, et al., in view of Jackson, et al., above, and further in view of Andre et al., all above.

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